

E AND R AMENDMENTS TO LB1072

Introduced by Murante, 49, Chairman Enrollment and Review

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 Section 1. Section 71-2454, Revised Statutes Cumulative
4 Supplement, 2012, is amended to read:

5 71-2454 It is the intent of the Legislature that
6 an entity described in section 71-2455 establish a system of
7 prescription drug monitoring for the purposes of (1) preventing
8 the misuse of ~~prescription drugs~~ controlled substances that are
9 prescribed in an efficient and cost-effective manner and (2)
10 allowing doctors and pharmacists to monitor the care and treatment
11 of patients for whom such a prescription drug is prescribed
12 to ensure that such prescription drugs are used for medically
13 appropriate purposes and that the State of Nebraska remains on the
14 cutting edge of medical information technology.

15 Sec. 2. Section 71-2455, Revised Statutes Cumulative
16 Supplement, 2012, is amended to read:

17 71-2455 The Department of Health and Human Services, in
18 collaboration with the Nebraska Health Information Initiative or
19 any successor public-private statewide health information exchange,
20 shall enhance or establish technology for prescription drug
21 monitoring to carry out the purposes of section 71-2454. ~~No state~~
22 ~~funding shall be used to implement or operate the prescription drug~~
23 ~~monitoring system provided for in this section.~~ The department may

1 use state funds and accept grants, gifts, or other funds in order
2 to implement and operate the technology. The department may adopt
3 and promulgate rules and regulations to authorize use of electronic
4 health information, if necessary to carry out the purposes of
5 sections 71-2454 and 71-2455.

6 Sec. 3. The Prescription Drug Monitoring Program Fund
7 is created. The Department of Health and Human Services shall
8 administer the fund which shall include any state funds, grants, or
9 gifts received by the department for the purposes of carrying out
10 the purposes of sections 71-2454 and 71-2455. Any money in the fund
11 available for investment shall be invested by the state investment
12 officer pursuant to the Nebraska Capital Expansion Act and the
13 Nebraska State Funds Investment Act.

14 Sec. 4. Original sections 71-2454 and 71-2455, Revised
15 Statutes Cumulative Supplement, 2012, are repealed.

16 2. On page 1, strike beginning with "section" in line 1
17 through line 9 and insert "sections 71-2454 and 71-2455, Revised
18 Statutes Cumulative Supplement, 2012; to change provisions relating
19 to the prescription drug monitoring program; to create a fund; and
20 to repeal the original sections."